



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: **RICHARD MARTIN**
Manager, Office of Legislative and Regulatory Affairs
Department of Social Service

FROM **A. CAMERON O'BRION**
Assistant Attorney General

DATE: August 12, 2005

SUBJECT: Proposed Regulations - Standards for Licensed Child Placing Agencies -
22 VAC 40-130, *et seq.*

I have received the attached regulations, 22 VAC 40-130, *et seq.*, Proposed Regulations regarding Standards for Licensed Child Placing Agencies. You asked the Office of Attorney General to review the attached proposed regulations and provide assurance that they do not exceed the authority of the State Board of Social Services.

Based on my review, it is my view that the State Board, acting pursuant to Va. Code § 63.2-217, has the authority to promulgate these regulations subject to the provisions of Article 2 of the Administrative Process Act and has not exceeded that authority.